

Tuesday, October 06, 2015

The Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, met in regular session at 9:00 AM.

PRESENT: Supervisors: Frank R. Mecham, Bruce S. Gibson, Adam Hill, Lynn Compton and Chairperson Debbie Arnold

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY CHAIRPERSON DEBBIE ARNOLD.

1-24. This is the time set for consideration of the Consent Agenda

Chairperson Arnold: opens the floor to public comment.

The action taken for Consent Agenda items 1 through 24 on the following vote is indicated for each item.

Motion by: Bruce S. Gibson
Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Items: Set for Hearing:

1. Submittal of a resolution of intent to establish Zone 19 of the San Luis Obispo County Flood Control and Water Conservation District; request direction regarding noticing a public hearing on a resolution establishing Zone 19; and direction regarding noticing a public hearing on a resolution proposing adoption of the Paso Robles Basin Parcel Tax. Hearings date set for November 10, 2015. Districts 1 and 5.

Mr. Eric Greening, Ms. Cindy Steinbeck, Mr. Bill Pelfrey: speaks.

Mr. John Diodati – Public Works: addresses public comments and concerns.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-258, adopted.

2. Introduction of amendments to Title 8 (Health and Sanitation Ordinance), and Title 19 (Building and Construction Ordinance), in order to implement the proposed Countywide Water Conservation Program related to the requirements for the offset of new water use at a ratio of 1:1, well permits, and regulation of wasteful use of water; and introduction of an amendment to Ordinance 3274 (County Fee Schedule), in order to establish new fees associated with the implementation of the proposed water offset requirements; the proposed Countywide Water Conservation Program and associated amendments would affect water use in both new and existing development, including all urban and rural land uses within the unincorporated areas of the county as well as agricultural operations. Hearing date set for October 27, 2015. All Districts.

Ms. Cindy Steinbeck, Mr. John Snyder, and Mr. Bill Pelfrey: speaks.

The Board approves as recommended by the County Administrative Officer.

3. Recommendation to receive the petition from the Board of Trustees of the Atascadero Unified School District to cancel \$25 million of authorized but unissued general obligation bonds approved at the

November 2, 2010 election and set a public hearing on the petition. Hearing date set for November 3, 2015. All Districts.

The Board approves as recommended by the County Administrative Officer.

4. Introduction of ordinances to amend the County Code by dissolving the Department of General Services, creating the Department of Central Services, and transferring responsibility for building maintenance, facility planning, and architectural services to the Department of Public Works. Hearing date set for October 20, 2015. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Administrative Office Items:

5. Submittal of a resolution of intent to participate in the "The Great California ShakeOut™" and work toward becoming a safer community. All Districts.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-259, adopted.

Consent Agenda - Airports Items:

6. Request to award a consulting contract (Clerk's File) to NV5, Inc., for Inspector of Record services in the amount of \$597,836 and approve a work order (Clerk's File) for Construction Administration and Resident Project Representative services with the project architect, Reynolds, Smith and Hills (RS&H), in the amount of \$1,314,865 for the New Terminal Construction Project at the San Luis Obispo County Regional Airport. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Auditor - Controller - Treasurer - Tax Collector Items:

7. Submittal of the Annual Cash Shortages and Overages Report and the Departmental Bank Accounts and Cash Funds Listings for the fiscal year ended June 30, 2015. All Districts.

The Board approves as recommended by the County Administrative Officer.

8. Submittal of a cash procedures and internal control review of the Airport's Office on April 29, 2015. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Board of Supervisors Items:

9. Request to re-appoint Richard Dusi to the Templeton Cemetery District. District 1.

The Board approves as recommended by the County Administrative Officer.

10. Request to re-appoint Susan Molle to the Santa Margarita Cemetery District. District 5.

The Board approves as recommended by the County Administrative Officer.

11. Submittal of a resolution recognizing October 2015 as "National Arts and Humanities Month" in San Luis Obispo County. All Districts.

Mr. Eric Greening, Dr. C. Hite, Ms. Angela Tanti, Ms. Shawn Dobson – Opera San Luis Obispo Executive Director, Ms. Lori Levian: speaks.

Supervisor Compton: reads the resolution and presents the same.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-260, adopted.

- 12.** Request to appoint Neal A. MacDougall as the District 2 Alternate to the Water Resources Advisory Committee. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Clerk-Recorder Items:

- 13.** Request by the Clerk-Recorder to reappoint Kem Weber, Douglas Barth and Lynn Cooper to the Assessment Appeals Board. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Health Agency Items:

- 14.** Request to approve FY 2015-16 renewal contracts with Atascadero Unified School District, Lucia Mar Unified School District, Paso Robles Joint Unified School District, and San Luis Coastal Unified School District in the collective amount not to exceed \$284,451 to provide on-site support in addition to educationally related mental health services in the school districts' special education classes. All Districts.

The Board approves as recommended by the County Administrative Officer.

- 15.** Request to approve a Standard Agreement Amendment to the Multi-Year State Agreement with the Department of Health Care Services, to increase funding for FY 2015-16, in the amount of \$131,953, for an overall contract amount of \$7,642,542, to provide substance use disorder services. All Districts

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Human Resources Items:

- 16.** Submittal of a resolution approving the July 1, 2015 – June 30, 2017 Memorandum of Understanding between the County of San Luis Obispo and the San Luis Obispo County Sheriffs Managers' Association, Bargaining Unit 15. All Districts.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-261, adopted.

- 17.** Submittal of a resolution amending the Position Allocation List for the Human Resources Department, Fund Center 112, to add two Principal Human Resources Analysts (2.0 FTE) to manage the HR Services and Labor Relations Divisions. All Districts.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-262, adopted.

- 18.** Submittal of the Civil Service Commission Annual Report for FY 2014-15. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Planning & Building Items:

19. Request to authorize the Use of Alternative Publication Procedures for the Countywide Water Conservation Program, including amendments to the Agriculture Element of the General Plan, the Conservation and Open Space Element of the General Plan, Title 8, Title 19, and Title 22 of the County Code, and the County Fee Schedule. All Districts.

Mr. Gary Kirtland, Mr. Mike Brown – Coalition of Labor, Agriculture & Business (COLAB): speaks.

20. Request to approve renewal agreement with Economic Vitality Corporation in the amount of \$148,775 to implement the San Luis Obispo County Clusters of Opportunity Economic Strategy. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Public Works Items:

21. Request to approve an agreement with the San Luis Obispo County Office of Education for a cable TV Access Grant and an associated budget adjustment, in the amount of \$50,424, in order to distribute the funds from the PEG Trust Fund. All Districts.

The Board approves as recommended by the County Administrative Officer.

22. Request to approve an “Emergency Water Supply Agreement” between the County of San Luis Obispo on behalf of County Service Area 23 and the Atascadero Mutual Water Company. District 5.

Mr. George Sullivan (handout): speaks.

Mr. Jeff Lee – Public Works: responds to public comment.

The Board approves as recommended by the County Administrative Officer.

23. Request approval of Parcel Map COAL 14-0082 for a lot line adjustment resulting in 2 lots by Hiojt Ranches LLC; and adopt a resolution approving contract pursuant to the California Land Conservation Act of 1965, Huasna Road, east of Arroyo Grande. District 4.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-263, adopted.

Consent Agenda - Social Services Items:

24. Submittal of letters of support for Assembly Bill 35 (Chiu) and Senate Bill 377 (Beall) which amend codes related to the California Tax Credit Allocation program. All Districts.

Mr. James Patterson and Dr. C. Hite: speak.

The Board approves as recommended by the County Administrative Officer.

25. Submittal of a resolution recognizing October 4-10, 2015 as "National 4-H Week" and approval to fly the 4-H flag over the Government Center during "National 4-H Week." All Districts.

Ms. Analisa Cavaletto, Ms. Gudrun Derickson, Mr. Mark Luna, Ms. Olivia Snodgrass, Ms. Hope Fardanesh, and Ms. Amanda Weddel – 2015-16 4-H All Stars, and Ms. Mary Bianchi: speak.

Chairperson Arnold: opens the floor to public comment without response.

RESOLUTION NO. 2015-264, resolution proclaiming October 4-10, 2015 as “National 4-H Week”, adopted and the Board approves the flying of the 4-H flag over the Government Center during the week of October 4-10, 2015.

Motion by: Frank R. Mecham

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Public Comment Period:

26. This is the time set for members of the public to address the Board on matters that are not scheduled on the agenda.

Mr. Eric Greening: discusses the mobility summit being held today; states on Item 28 he supports the staff recommendation.

Ms. Cindy Steinbeck (Handouts): highlights her handouts titled “The Case of the Curious CASGEM Data” and “O & M Pump-In Monitoring”.

Dr. C. Hite: speaks to an individual’s right to run for office and her advocacy work.

Mr. Larry Stone, Ms. Kathy Stone, Mr. Gianni Manucci- Wild Coyote Winery, Ms. Claire Mamakos and Ms. Kim Routh: addresses health and safety concerns with the number of permits being issued for vacation rentals, wineries, events and their effects on agricultural land in the Willow Creek/Adelaida area.

Ms. Kathleen Bellefontaine – Commission on Aging: comments on the funding needs for senior citizen housing programs.

Mr. Ben DiFatta: comments on the Los Osos Community Services District General Manager vacancy.

Mr. John Snyder (Handout): speaks to “prescription” with regard to the Paso Robles Groundwater Basin claim.

Ms. Julie Tacker: discusses the hearing regarding Los Osos Basin Plan on October 13 and the Los Osos Wastewater Project.

Ms. Linde Owen: speaks to the escalating recent national weather events; her concerns with storm water drainage in Los Osos and throughout the County; questions how storm water could be stored for future use.

Mr. Gary Kirkland: states the Board should encourage water usage to encourage others to find additional water sources.

Mr. Bill Pelfrey: speaks to: the belittling of Mr. Will Harris at an APCD meeting; the personal liability of Board members who don’t allow individuals to freely speak at public meetings.

Mr. Jim Patterson: thanks board for passing Item 24; states the Governor has until this afternoon to take action on AB 35 and until Friday to take action on SB 377; urges the Board to send their letters as soon as possible. Staff is directed to look into the feasibility of an ordinance banning synthetic bath salts and spice and return to the Board with the information at a later date.

Motion by: Debbie Arnold
Second by: Lynn Compton

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Hearings

27. Hearing to consider and identify public needs for the proposed annual Urban County of San Luis Obispo 2016 Action Plan for the allocation of federal grant funding associated with the Community Development Block Grant (CDBG), HOME Investment Partnerships Act (HOME), and Emergency Solutions Grant (ESG) programs. All Districts.

Chairperson Arnold: opens the floor to public comment.

Ms. Donna Fioravanti – Community Action Partnership of San Luis Obispo, Mr. Morgen Benevedo – Peoples Self Help Housing, Ms. Jane Pomeroy - Link Executive Director, Mr. Jim Patterson, Ms. Elaine Archer – HASLO Director of Housing, Ms. Susan Warren – North County Connection, Dr. C. Hite, Ms. Claire Clark– Transitions Mental Health, Ms. Mimi Rodriguez – Echo Interim Executive Director, Mr. Chuck Jehle - Mission Community Services Corporation Program Director, and Ms. Kathleen Martin – Veterans Affairs Supportive Housing: speak.

Chairperson Arnold: closes the public testimony. **No action taken.**

28. Receive and file a staff presentation on Community Choice Aggregation and opportunities to participate in regional Community Choice Aggregation feasibility studies, and provide staff direction on the preferred option regarding participation in regional Community Choice Aggregation feasibility studies. All Districts.

Chairperson Arnold: continues Closed Session to the end of the day and opens the floor to public comment.

Mr. Greg McMillan, Mr. Bob Wolf, Mr. Gary Kirkland, Mr. Jim Patterson, Ms. Sharon Rippner, Ms. Rosemary Wilvert, Ms. Liana Forest, Ms. Sherry Lewis, Mr. Bob Pelfrey, Mr. Larry Brooks, Mr. Jim Eaton, Mr. Jack Tibbetts – Director of Government and Community Relations for California Clean Power, Ms. Alice Welchert, Ms. Jeanne Reeves, Ms. Caroline Hall, Mr. Eric Meyer, Ms. Stacey Hunt – Ecologistics, Inc. Chief Executive Officer, Mr. Eric Veium – SLO Clean Energy (Handout), Mr. Jeff Buckingham, Ms. Terri Strickland, Ms. Debbie Peterson, Mr. Mike Brown – Coalition of Labor, Agriculture & Business (COLAB), Ms. Linda Hillman– Friends of Channel Islands Energy Choice, Ms. June Cochran, Mr. Fred Fink, Mr. Bruce Severance, Mr. Jefferson Litten - Community Environmental Council Energy Program Manager, and Ms. Leslie Halls: speak.

Supervisor Compton: outlines her concerns with Option 2 and the County’s position in the partnership.

The Board receives and files the staff presentation and directs staff to proceed with Option 3.

Motion by: Bruce S. Gibson
Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)		x		
Compton, Lynn (Vice Chairperson)		x		
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Presentations

30. Submittal of a resolution commending Vincent Morici for 36 years of dedicated service. All Districts.

Chairperson Arnold: opens the floor to public comment.

Undersheriff Tim Olivas with Honor Guard and Mr. Jim Grant: speak.

RESOLUTION NO. 2015-265, resolution commending Vincent Morici for 36 years of service to the County of San Luis Obispo, adopted.

Motion by: Frank R. Mecham

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

- 31.** Submittal of a resolution proclaiming the month of October 2015 as, "San Luis Obispo County Intimate Partner Violence Awareness Month." All Districts.

Mr. Dan Dow – District Attorney, Ms. Debra Vallely – Victim Witness Division and Ms. Laurie Reeceapor and Ms. Beth Raub – San Luis Obispo Women’s Shelter: speaks.

Chairperson Arnold: opens the floor to public comment without response.

RESOLUTION NO. 2015-266, resolution designating October 2015 as San Luis Obispo County Intimate Partner Violence Awareness Month, adopted.

Motion by: Adam Hill
Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Board Business:

- 32.** Submittal of a resolution approving the policies to govern the operation and maintenance of the County Highway System and provide staff direction on maintenance and operation of the road sys tem. All Districts.

Chairperson Arnold: opens the floor to public comment without response.

RESOLUTION NO. 2015-267, resolution approving the policies to govern the operation and maintenance of the County Highway System, adopted.

Motion by: Frank R. Mecham
Second by: Bruce S. Gibson

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Closed Session Items:

- 29.** The Board announces they will be going into Closed Session regarding:

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: (1) Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of section 54956.9. Number of potential cases: Two; (2) Initiation of litigation pursuant to paragraph (4) of subdivision (d) of section

54956.9. Number of potential cases: Two.

CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION (Government Code section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: Existing Litigation (Gov. Code, section 54956.9(a)). (Formally initiated.) (3) Los Osos Community Services District v. Golden State Water Company, et al.; (4) Mesa Community Alliance v. California Dept. of Parks and Recreation, et al. (5) ARB, Inc. v. County of San Luis Obispo;

CONFERENCE WITH LABOR NEGOTIATOR (Government Code section 54957.6.) It is the intention of the Board to meet in closed session to have a conference with its Labor Negotiator, Tami Douglas-Schatz, concerning the following employee organizations: (6) San Luis Obispo Government Attorney's Union (SLOGAU); (7) San Luis Obispo County Employees Association – Trades and Crafts (SLOCEA-T&C); (8) Deputy County Counsel's Association (DCCA); (9) Sheriffs' Management; (10) San Luis Obispo County Probation Peace Officers' Association (SLOCPPOA); (11) Deputy Sheriff's Association (DSA); (12) District Attorney Investigators' Association (DAIA); (13) San Luis Obispo County Probation Managers' Peace Officers' Association (SLOCPMPOA); (14) San Luis Obispo County Employees Association – Public Services, Supervisors, Clerical (SLOCEA – PSSC); (15) Unrepresented Management and Confidential Employees; and (16) Association of San Luis Obispo County Deputy Sheriffs (ASLOCDS).

PERSONNEL (Government Code section 54957.) It is the intention of the Board to meet in closed session to: (17) Consider Public Employee Appointment for the Position of Director Veteran's Service Officer.

(Added Closed Session per the Addendum 1. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following item: Existing Litigation (Gov. Code, section 54956.9(a)). (Formally initiated.) (18) Santa Maria Valley Water Conservation District v. City of Santa Maria, et al. All requirements of the Brown Act have been satisfied as this notice was posted prior to the 72-hour noticing requirement.)

Chairperson Arnold: opens the floor to public comment.

Mr. John Snyder: speaks.

Thereafter, pursuant to the requirements of the Brown Act, County Counsel reports out on the items discussed during Closed Session as follows: no report required as no final action was taken and the Board goes into Open Public Session.

On motion duly made and unanimously carried, the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, does now adjourn.

I, **TOMMY GONG**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors of the County of San Luis Obispo, and ex-officio clerk of the governing body of all other special assessment and taxing districts for which said Board so acts, do hereby certify that the foregoing is a fair statement of the proceedings of the meeting held Tuesday, October 06, 2015, by the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

TOMMY GONG, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

By: /s/ C.M. Christensen, Deputy Clerk-Recorder

DATED: October 19, 2015